

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROBERT T. BROCKMAN,

Defendant.

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Cr. No. 4:21cr 009 GCH

DRAFT - PARTIES' AGREED MOTION FOR A STATUS CONFERENCE

The United States and Defendant, by and through their respective counsel, respectfully request a status conference with the Court in this case to set a trial date and pre-trial schedule in this matter. The parties request a status conference with the Court for the week of June 20, 2022. The parties have discussed possible trial dates, and wish to confer with the Court about a schedule. The parties also request, pursuant to 18 U.S.C. § 3161 (h)(7), that the period from May 23, 2022 until the trial of this matter be excluded from the operation of the Speedy Trial Act. The government expects the trial of this matter will take approximately 5 weeks.

Procedural History

On December 8, 2020, Defendant filed a motion for a competency hearing pursuant to 18 U.S.C. § 4241. *See* 20-cr-371 (N.D. Cal.) (“NDCA”) Dkt. No. 64 (the “Motion”). On October 12, 2021, the Court entered a scheduling Order for an evidentiary hearing on Defendant’s Motion, which, *inter alia*, excluded time under the Speedy Trial Act, pursuant to 18 U.S.C. § 3161(h)(1)(a), from the entry of the Order until the date of the Court’s final determination on Defendant’s Motion. From November 15, 2021 through November 24, 2021, an evidentiary hearing was held before this Court on Defendant’s motion. On May 23, 2022, the Court issued its Order on Defendant’s Motion, holding that Defendant is competent to be tried on the pending

charges. *Dkt. No 263.* On May 31, 2022, the parties conferred telephonically on this motion.

To date the government has provided extensive discovery in matter and is in the process of providing additional discovery, including material under *Gilgio* and the Jencks Act. The government anticipates that this additional discovery will be complete by June 30, 2022.

The government further certifies that it has conferred with Defendant's counsel on this motion and that counsel agrees with the request contained herein.

Respectfully submitted this 31 day of May 2022,

DAVID A. HUBBERT
Deputy Assistant Attorney General

s/ Corey J. Smith
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